

Appl. No. 09/886,772
Amdt. Dated December 16, 2003
Reply to Office Action of June 16, 2003

REMARKS

Claims 76, 102-107, 118 and 125-128 are pending.

Applicants appreciate the Examiner's allowance of claims 102-104 and 125.

As suggested by the Examiner, applicants have canceled claims 76 and 126-128 and added claims 129-134. Support for added claims 129-134 is found throughout the specification as originally filed (see particularly, page 116, line 27 to page 117, line 12 and page 122, line 9 to page 124, line 16).

None of these amendments adds new matter.

THE REJECTIONS

Section 112, Second Paragraph

Claim 76 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, the Examiner asserts that it is unclear what is encompassed by the term "IL-1 mediated disease." Applicants traverse.

Applicants submit that one of ordinary skill in the art would understand the term "IL-1 mediated disease" as encompassing a disease where IL-1 plays a role and would be able to ascertain whether a disease falls within the scope of

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claim 76. To facilitate prosecution, however, applicants have canceled claim 76, thus obviating this rejection.

Section 112, First Paragraph

Claims 76 and 126-128 stand rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement. The Examiner has suggested that applicant either cancel these method claims or add method claims which are similar to those allowed in the parent application 09/430,822 which issued as United States Patent 6,420,522 ("the '522 patent").*

Applicants disagree that claims 129-134 lack enablement. To facilitate prosecution, applicants have nevertheless canceled these claims. As suggested by the Examiner, applicants have added claims 129-134 which correspond to method claims 5-10 of the '522 Patent.

Applicants believe that the Examiner will find claims 129-134 allowable. Accordingly, applicants request that the Examiner withdraw the § 112, first paragraph rejection.

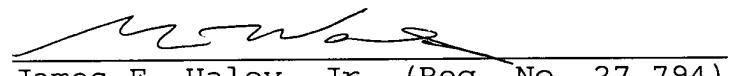
* Applicants presume that the Examiner intended to cite United States Patent 6,420,522, not 5,420,522, because the parent application 09/430,822 issued as United States Patent 6,420,522.

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CONCLUSION

Applicants request that the Examiner enter the amendments presented herein, consider the foregoing remarks, and allow the pending claims to issue.

Respectfully submitted,


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